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November 16, 2021

VIA ECF

Hon. James R. Cho, U.S.M.J.
U.S. Eastern District of New York
225 Cadman Plaza East, Room 1227 South
Brooklyn, New York 11201

Re: Government Employees Insurance Co., et al. v. Reliable CPM Surgical Supply,
Inc., et al. - Case No.: 1:20-cv-05475-LDH-JRC

Dear Judge Cho:

We are counsel to Defendant Laxmidhar Diwan, M.D. (“Dr. Diwan”) in this matter and a related case, Government Employees Insurance Co., et al. v. AZCare, Inc., et al., Case No.: 1:20-cv-05312-PKC-RML. We substituted into this case on July 26, 2021.

Dr. Diwan Discovery. Although requested upon substitution, we first received a file from Dr. Diwan from previous counsel last month. Since entering an appearance, we have worked expeditiously to get up to speed on the case. We since served and responded to discovery in both pending cases. In addition, we are providing dates for Dr. Diwan’s deposition to be taken expeditiously. Despite our diligence and given that we just served discovery demands on October 8, 2021, both parties have additional documents that need to be exchanged.

Additional Discovery. Dr. Rispoli’s deposition was just taken and GEICO has outstanding discovery requests as a result of that deposition.

Related Matters. Through a review of the Complaint and discovery to date, it is clear to Dr. Diwan that the allegations in the two cases are quite similar and it makes sense to handle the matters together in one consolidated case. In this regard, we respectfully request that the Court extend the discovery end date in line with the discovery track of the other pending GEICO matter (Government Employees Insurance Co., et al. v. AZCare, Inc., et al., Case No.: 1:20-cv-05312-

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PKC-RML) so that the two cases can continue to proceed on the same track as the parties evaluate a motion to consolidate the matters.

Specifically, we are requesting that fact discovery be extended until **January 12, 2022**. Counsel for all parties consent to this fact discovery extension.

Additional Party. Finally, it appears that Dr. Diwan's former employer, a party mentioned throughout the pleadings should appropriately be joined in the consolidated matter. For this additional reason, we submit that a brief extension of discovery is appropriate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Shannon Carroll', written in a cursive style.

Shannon Carroll

SC:jg
cc: All counsel of record (via ECF)